

Handwritten initials: JH, JH, ME

12/21/09 11:00:16
DK W BK 623 PG 671
DESOTO COUNTY, MS
M.E. DAVIS, CH CLERK

Prepared by and Return to:
Hugh H. Armistead, Attorney
MS Bar No. 1615
6879 Crumpler Boulevard, Suite 100
Olive Branch, MS 38654
662-895-4844

HUGH H. ARMISTEAD,
SUBSTITUTE TRUSTEE
6879 Crumpler Boulevard, Suite 100, Olive Branch, MS 38654
Business No.: (662) 895-4844 NA

GRANTOR,

TO

SUBSTITUTE TRUSTEE'S DEED

COMMUNITY BANK, NORTH MISSISSIPPI,
A Mississippi Banking Corporation,
475 E. Commerce Street, Hernando, MS 38632
Business No.: (662) 429-8484 NA

GRANTEE

INDEXING INSTRUCTIONS:

Lot 74, Section C, Phase 3, The Arbors of Wedgewood Subdivision, situated in Section 35, Township 1 South, Range 7 West, DeSoto County, Mississippi.

WHEREAS, on September 11, 2006, **Building Dreams Construction LLC** executed a Deed of Trust to **Simon F. Weir II**, Trustee for the benefit of **Community Bank, N. A.**, which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Deed of Trust Book No. 2565, at Page 58, to which reference is herein made; and

WHEREAS, Community Bank, North Mississippi, successor in interest to Community Bank, N. A., substituted and appointed **Hugh H. Armistead** as Substitute Trustee in and for the above described Deed of Trust pursuant to said Deed of Trust and the indebtedness secured thereby, in lieu and in place of the aforesaid Trustee, **Simon F. Weir II**, by instrument dated the 5th day of November, 2009, and filed in Deed of Trust Book No. 3101, at Page 25, in the land records of the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, default having been made in payment of the indebtedness secured by said Deed of Trust, and the holder of the Note and Deed of Trust having requested the undersigned Substitute Trustee to sell said land and property in accordance with the terms of said Deed of Trust.

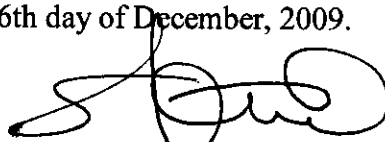
THEREFORE, in consideration of the premises, **I, Hugh H. Armistead, Substitute Trustee**, pursuant to said request, on **Wednesday, December 16, 2009**, between the legal hours of 11:00 o'clock A.M. and 4:00 o'clock P.M., at the East door of the County Courthouse of DeSoto County, at Hernando, Mississippi, offered for sale and sold at public outcry to **COMMUNITY BANK, NORTH MISSISSIPPI, a Mississippi Banking Corporation**, it having made the highest bid for cash in the amount of Thirty Thousand and 00/100 Dollars (\$30,000.00), the following described land and property, situated in DeSoto County, Mississippi, more particularly described as follows, to-wit:

Lot 74, Phase 3, Section "C", The Arbors of Wedgewood Subdivision, in Section 35, Township 1 South, Range 7 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 99, Page(s) 35, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

The time, terms and place of sale were duly advertised on November 24, 2009; December 1, 2009; December 8, 2009; and December 15, 2009; four (4) consecutive weeks immediately preceding said sale; by publication in The DeSoto Times-Tribune, a newspaper published and having a general circulation in DeSoto County, Mississippi, as shown on the Proof of Publication attached hereto and made a part hereof by reference; and by posting a Substitute Trustee's Notice of Sale upon the bulletin board of the DeSoto County Courthouse in Hernando, Mississippi, on the 23rd day of November, 2009, and remaining thereon through the date of sale, December 16, 2009.

THEREFORE, in consideration of the sum of **Thirty Thousand and 00/100 Dollars (\$30,000.00)**, cash in hand paid, I, Hugh H. Armistead, Substitute Trustee, do hereby sell, convey and warrant unto **COMMUNITY BANK, NORTH MISSISSIPPI, a Mississippi Banking Corporation**, the herein-above described land.

WITNESS MY SIGNATURE, on this the 16th day of December, 2009.



**HUGH H. ARMISTEAD,
SUBSTITUTE TRUSTEE**

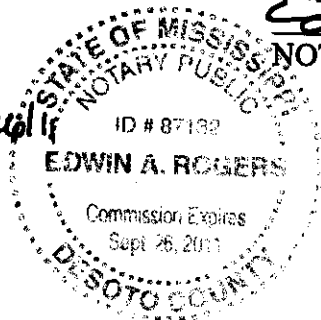
STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 16th day of December, 2009, within my jurisdiction, the within named Hugh H. Armistead, who acknowledged that he is the Substitute Trustee, and that in said representative capacity, he executed the above and foregoing instrument, after first having been duly authorized to do so.


NOTARY PUBLIC

My Commission Expires:

9/26/11



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on September 11, 2008, Building Dreams Construction LLC executed a Deed of Trust to Simon F. Weir II, Trustee for the benefit of Community Bank, N.A., which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Deed of Trust Book No. 2585, at Page 58, to which reference is herein made; and

WHEREAS, Community Bank, North Mississippi, successor in interest to Community Bank, N.A., substituted and appointed Hugh H. Armistead as Substitute Trustee in and for the above described Deed of Trust pursuant to said Deed of Trust and the indebtedness secured thereby, in lieu and in place of the aforesaid Trustee, Simon F. Weir II, by instrument dated the 5th day of November, 2009, and filed in Deed of Trust Book No. 3101, at Page 25, in the land records of the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, default having been made in payment of the indebtedness secured by said Deed of Trust, and the holder of the Note and Deed of Trust having requested the undersigned Substitute Trustee so to do, I will, on Wednesday, December 16, 2009, offer for sale at public outcry and sell during the legal hours between the hours of 11:00 A.M. and 4:00 P.M. at the East front door of the County Courthouse of DeSoto County, Mississippi, for cash and to the highest and best bidder, the following described real property, situated in DeSoto County, Mississippi, to-wit:

Volume No. 114 on the 24 day of Nov., 2009
Volume No. 114 on the 1 day of Dec., 2009
Volume No. 114 on the 8 day of Dec., 2009
Volume No. 114 on the 15 day of Dec., 2009
Volume No. _____ on the _____ day of _____, 2009
Volume No. _____ on the _____ day of _____, 2009

Diane Smith

Lot 74, Phase 3, Section "C", The Arbors of Wedgewood Subdivision, in Section 35, Township 1 South, Range 7 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 99, Page(s) 35, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

I will sell and convey only such title as is vested in me as Substitute Trustee.

WITNESS my signature, this the 23rd day of November, 2009.

/s/ Hugh H. Armistead
HUGH H. ARMISTEAD, Substitute Trustee

6879 Crumpler Boulevard, Suite 100

Olive Branch, MS 38654
662-896-4844

Publish: November 24th, December 1st, December 8th and December 15th, 2009

Sworn to and subscribed before me, this 15 day of Dec., 2009

BY Judy Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2013
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

A. Single first insertion of 355 words @ .12 \$ 42.60

B. 3 subsequent insertions of 1065 words @ .10 \$ 106.50

C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 152.10

